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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 HUBERT THEODORE ISABEL,

13 Defendant.
14

NO. CR06-377-JCC

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

15 An initial hearing on a petition for violation of supervised release was held before the
16 undersigned Magistrate Judge on July 1, 2011. The United States was represented by Assistant
17 United States Attorney Jeffrey Backhus, and the defendant by Walter Palmer.

18 The defendant had been charged and convicted of Felon in Possession of a Firearm, in
19 violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). On or about May 2, 2008, defendant was
20 sentenced by the Honorable John C. Coughenour, to a term of 46 months in custody, to be
21 followed by 3 years of supervised release. (The Court subsequently revoked defendant's
22 supervised release on June 2, 2010 and February 4, 2011.)

23 The conditions of supervised release included the requirements that the defendant
24 comply with all local, state, and federal laws, and with the standard conditions. Special
25 conditions imposed included, but were not limited to, participation in substance abuse and
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1 mental health programs, financial disclosure, submit to search, and participate in alcohol
2 treatment as directed by the probation office.

3 In a Petition for Warrant or Summons, dated June 28, 2011, U.S. Probation Officer
4 Jennifer Van Flandern asserted the following violations by defendant of the conditions of his
5 supervised release:

- 6 1. Frequenting places where controlled substances are illegally sold, used,
7 distributed, or administered on or about April 29, 2011, in violation of standard
8 condition eight.
- 9 2. Using marijuana on or before May 17, 2011, in violation of standard condition
10 seven.
- 11 3. Committing the crime of Drug Trafficking Loitering and Obstructing Public
12 Official on or about May 30, 2011, in Seattle, Washington, in violation of the
13 general condition that he not commit a federal, state or local crime.
- 14 4. Using amphetamine, marijuana, and cocaine on or before June 1, 2011, in
15 violation of standard condition seven.
- 16 5. Using alcohol on or about June 17, 2011, and MDMA on or about June 19,
17 2011, in violation of standard condition seven.

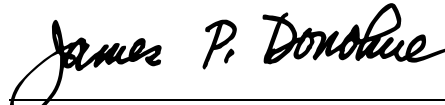
18 The defendant was advised of his rights, acknowledged those rights, and admitted to
19 violations 2, 4 and 5. Defendant denied alleged violations 1 and 3.

20 On July 27, 2011, an evidentiary hearing was held before the undersigned Magistrate
21 Judge. Defendant admitted to violation 3 and alleged violation 1 was dismissed without
22 prejudice by the government.

23 I therefore recommend that the Court find the defendant to have violated the terms and
24 conditions of his supervised release as to violations, 2, 3, 4 and 5 and that the Court conduct a
25 hearing limited to disposition. A disposition hearing on violations 2, 3, 4 and 5 has been set
26 before the Honorable John C. Coughenour on August 5, 2011 at 9:00 a.m.

1 Pending a final determination by the Court, the defendant has been detained.

2 DATED this 27th day of July, 2011.

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4 JAMES P. DONOHUE
5 United States Magistrate Judge

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8 cc: District Judge: Honorable John C. Coughenour
9 AUSA: Jeffrey Backhus
10 Defendant's attorney: Walter Palmer
11 Probation officer: Jennifer Van Flandern
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